



It's Tuesday, March 1. In today's issue: Nebraska's troubled road to statehood, and how we got our state motto; *BISON* exhibit; How do we preserve current events?; Dewitty, a Black settlement in the Sandhills; Fort Robinson love letter; What happens when Indigenous skeletal remains are found?

Happy Statehood Day!

Nebraska became the 37th state on March 1, 1867—but not everyone was happy about it. Last year, HN's Chris Goforth told the story of the controversy on 1011Now's "Pure Nebraska." [Watch it here.](#)

Two artifacts in History Nebraska's collection also tell the story of the troubled road to Nebraska statehood. These painted skylight windows adorned the US Capitol until they were removed in 1949. One shows the familiar state seal. The other shows the lesser-known seal of Nebraska Territory. The words on each had special meaning to people of the time.

Fighting Words



Before the Nebraska State Seal was adopted in 1867, a territorial seal served a similar purpose. Laid across the top were two words that spelled out red-hot controversy.

“Popular sovereignty” was the slogan associated with the Kansas-Nebraska Act of 1854. This law organized the new territories while repealing the Missouri Compromise of 1820. The compromise had prohibited slavery in the region now occupied by the new territories, but the “Nebraska bill” re-opened the slavery question.

In this context, “Popular Sovereignty” was bitterly resented by the “anti-Nebraska” men who founded the Republican Party. They heard it not as a statement of democratic ideals, but as a euphemism for the expansion of slavery. They feared the entire country would soon be dominated by the Southern planter aristocracy. [Keep reading.](#)

How “Equality Before the Law” became our state motto



Instead of the controversial “Popular Sovereignty” territorial motto, our state motto is “Equality Before the Law.”

But this, too, was controversial. Did you know that we got our state motto due to a post-Civil War controversy over Black voting rights?

In its proposed state constitution, the Nebraska legislature restricted voting rights to White men. Many northern states already did the same. In 1867 Congress rejected Nebraska’s application for statehood until it dropped that restriction.

This infuriated some Nebraska leaders. They knew that the Republican-dominated Congress meant to force the former Confederate states to allow Black men to vote as a condition of re-admission to the Union. Congress was using Nebraska to set a precedent. And everyone knew that most Black men would vote for the party of Lincoln.

Nebraska changed its constitution, but President Andrew Johnson vetoed the

statehood bill, arguing that Congress had no right to tell a state how to manage its elections. [Keep reading](#).

See *BISON* at the Nebraska History Museum



Last month we told you about *BISON*, the traveling exhibit at the [Nebraska History Museum](#) through May 15. Here's a mind-blowing fact: The bison population plummeted from an estimated 30 million to only 325 in the United States by 1884.

"Saving the bison from near extinction required a core of concerned individuals that became an international movement of people with conservation ideals, Native Americans, and Great Plains ranchers. Today natural preserves and ranches in all fifty of the United States and all of the Canadian provinces support herds of about 500,000 bison."

Preserving Current Events



What items will future museum audiences find interesting or important? We can't know for sure, but History Nebraska collects items related to current events that seem historically significant. This poster was carried at a Black Lives Matter protest in Lincoln on June 11, 2020, during a time of nationwide demonstrations following the murder of George Floyd.

The poster wasn't made to last. It came to us dirty and partly covered with white duct tape that isn't going to age well. Conservators had to decide how best to keep this object from deteriorating so that it can help tell the story of 2020 to future museum audiences. [Keep reading.](#)

The DeWitty Settlement



In case you missed it, Nebraska Public Media's *Nebraska Stories* featured the African American Sandhills town of Dewitty (aka Audacious). [Watch it here.](#)

Dewitty is gone, but a [State Historical Marker](#) commemorates the site.

**"Until I see you again I shall rely upon the
intoxicating memories of you..."**

July 17, 1944
00:19

Core of My Heart,

While I am writing
this letter you are probably
sleeping soundly in your
little tundle bed. I bet
you make a beautiful pic-
ture when you're asleep.
I can just imagine that
stray lock of hair falling
down your forehead and
pointing to your warm,
desirable lips. My heart
aches with loneliness

During World War II Barney was stationed at Fort Robinson, where “my heart aches with loneliness.” Margaret lived about ten miles away. Barney’s June 1944 love letter to Margaret is now in our archives. [Read it here.](#)

What happens when Indigenous skeletal remains are found?



When human remains are discovered in Nebraska as the result of plowing, construction, or natural erosion, what happens next? State and federal laws regulate how History Nebraska responds. [Read more here.](#)



History Nebraska Newsletter, David Bristow, Editor, history.nebraska.gov. © 2022
History Nebraska®

Want to change how you receive these emails? You can [update your preferences](#) or
[unsubscribe from this list](#).

This email was sent to david.bristow@nebraska.gov
[why did I get this?](#) [unsubscribe from this list](#) [update subscription preferences](#)
History Nebraska • 1500 R Street • Lincoln, NE 68508 • USA

Complete articles:

Fighting Words in Nebraska Territory



By David L. Bristow, Editor

Before the Nebraska State Seal was adopted in 1867, a territorial seal served a similar purpose. A painted glass version was installed in a new skylight ceiling in the U.S. Capitol in 1857. (The state seal was added later.) The glass seals came to History Nebraska after being removed during capitol remodeling in 1949.

The territorial seal shares several features with its state counterpart: a steamboat, river, trees, locomotive, anvil, and distant hills or mountains. It also includes a plow (replaced by a shock of wheat in the state seal), a telegraph line, a U.S. flag and Constitution, and two men: a frontiersman with musket and powder horn, and a prosperous-looking man in a tailcoat and planter's hat. Other than the land itself, each item represents something transformative; together they illustrate the settlers' notion of "progress."

But laid across the top were two words that spelled out red-hot controversy. "Popular sovereignty" was the catchphrase associated with the Kansas-Nebraska Act of 1854. This law organized the new territories while repealing the Missouri Compromise of 1820, which had prohibited slavery in the region where the two territories were later formed. Now the "Nebraska bill" re-opened the slavery question, to be decided by each territory's citizens.

In this context, "popular sovereignty" was bitterly resented by the "anti-Nebraska" men who founded the Republican Party. They heard it not as a statement of democratic ideals, nor even as a middle way of resolving the nation's most contentious issue, but as a euphemism for the expansion of slavery. They feared the country would be dominated by the "Slave Power," as they termed the Southern planter aristocracy.

Nebraska was not expected to become a slave state, though its legislature did not ban slavery until 1861, and only then over the governor's veto. "Bleeding Kansas," however, was violently contested, foreshadowing even greater bloodshed during the Civil War.

When Nebraska became a state in 1867, a controversy over Black voting rights led to the adoption of our state motto, "Equality Before the Law." [Read more.](#)

Posted Feb. 28, 2022. An earlier version of this article appeared in the Winter 2016 issue of *Nebraska History Magazine*.

Photo: History Nebraska 7434-1

For further reading:

Eric Foner, *Free Soil, Free Labor, Free Men: The Ideology of the Republican Party before the Civil War* (Oxford University Press, reprint edition 1995).

James E. Potter, *Standing Firmly by the Flag: Nebraska Territory and the Civil War, 1861-1867* (University of Nebraska Press, 2012).

Categories:

[Nebraska territory](#), [slavery](#), [African Americans](#), [Republican Party](#)

How 'Equality Before the Law' became our state motto



By David L. Bristow, Editor

[In a previous post](#) we looked at Nebraska's territorial seal. Here is the more familiar state seal, likewise shown on a painted glass skylight window from the US Capitol.

Instead of the controversial “Popular Sovereignty” territorial motto, our state motto is “Equality Before the Law.”

But this, too, was controversial. Did you know that we got our state motto due to a post-Civil War controversy over Black voting rights?

In its proposed state constitution, the Nebraska legislature restricted voting rights to White men. Many northern states already did the same. In 1867 Congress rejected Nebraska’s application for statehood until it dropped that restriction.

This infuriated some Nebraska leaders. They knew that the Republican-dominated Congress meant to force the former Confederate states to allow Black men to vote as a condition of re-admission to the Union. Congress was using Nebraska to set a precedent. And everyone knew that most Black men would vote for the party of Lincoln.

Nebraska changed its constitution, but President Andrew Johnson vetoed the statehood bill, arguing that Congress had no right to tell a state how to manage its own elections. Congress overrode the veto and Nebraska became a state on March 1, 1867.

The state legislature soon adopted the state seal and motto, “Equality Before the Law.” Governor David Butler signed the bill into law on June 14. One day later, the legislature ratified the Fourteenth Amendment, which promises “equal protection of the laws” and makes this requirement binding upon the states. “The vote marked the first time Nebraska had joined her sister states in the constitutional amendment process,” writes historian James Potter.

Although the motto is partly the result of partisan hardball politics, there was idealism in it as well. Few White Nebraskans embraced social equality, but the notion of legal equality seemed like a proper antidote to the slave system that caused the recent war.

In many ways, even that commitment to legal equality proved short-lived. Following statehood, Black voting rights were not restricted in Nebraska as they

were in the South, but Nebraska has a [long history of de-facto discrimination](#) in many other areas.

Historian James E. Potter examines the history of the state motto in [“Equality Before the Law’: Thoughts on the Origin of Nebraska’s State Motto,”](#) *Nebraska History* 91 (2010): 116-121. (PDF)

Read other stories about [Nebraska statehood](#).

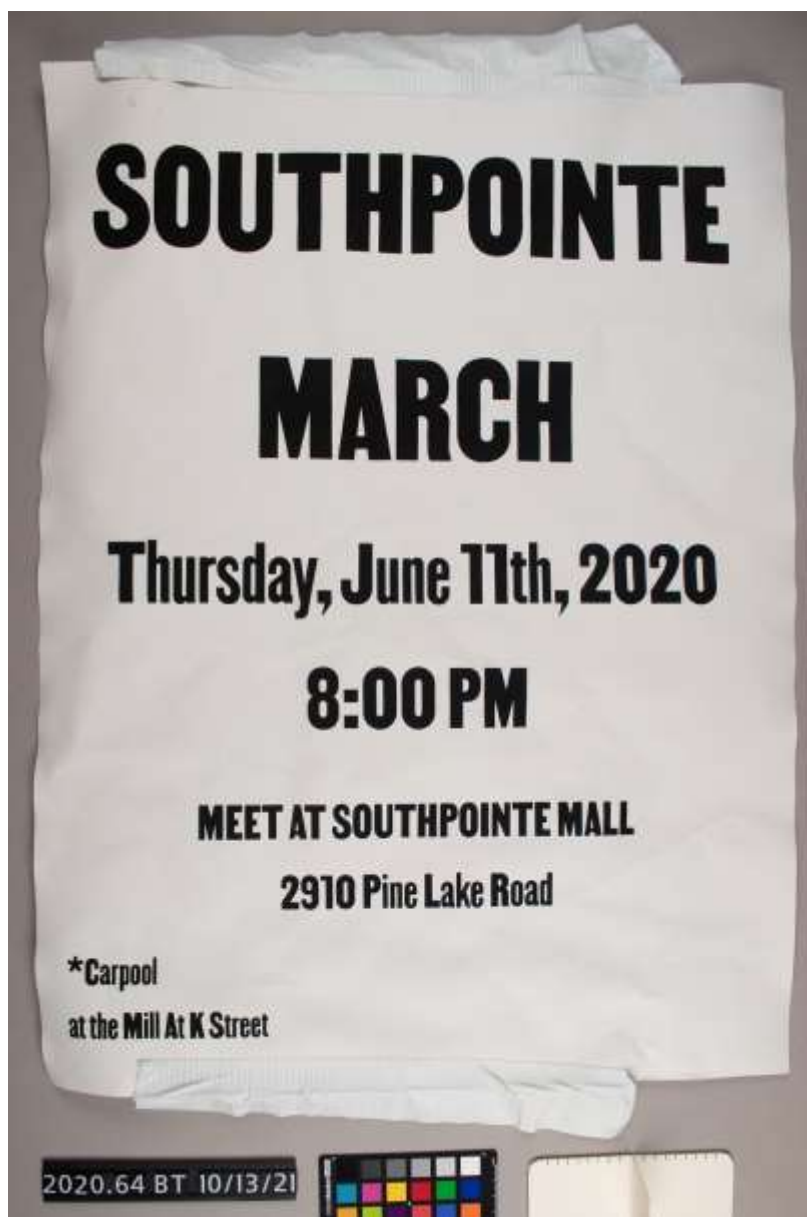
(Posted March 1, 2022)

Categories:

[Nebraska statehood](#), [African Americans](#), [voting](#)

Preserving Current Events

It can be difficult to know what objects in present times will be valued in the future. However, the staff at History Nebraska actively seeks to build its collection of objects related to current events. One such object is a poster for the Black Lives Matter march at Southpointe Pavilions in Lincoln, Nebraska that occurred on June 11, 2020. The march took place just two weeks after the murder of George Floyd which sparked demonstrations across the country in the summer of 2020. Posters like this are often seen as temporary and not made to last, but they document important events in local history.



BLM poster before treatment

This poster is screen printed in black ink on heavyweight, white, wove paper. The primary concern was that white duct tape was attached to the front of the poster at the top and bottom. The poster also has planar distortions overall and some surface dirt and grime. Although the duct tape was original to the function of the poster, the curator and conservator decided it should be removed before it caused irreversible staining, and structural damage to the paper support.



Paper conservator, Hilary LeFevre, removes the duct tape from the top of the poster

Hilary LeFevre, paper conservator, surface cleaned the paper support before removing the duct tape. The tape left behind adhesive residue which was removed with a crepe eraser. Removing the adhesive residue disrupted the surface of the paper.



Using a crepe eraser to reduce the adhesive residue left behind by the duct tape



BLM poster after treatment

After the tape and adhesive was removed, the paper support was humidified and flattened under weight. A Mylar sleeve was created for the poster to protect it for long-term preservation.

Categories:

[Gerald Ford Conservation Center](#), [Gerald Ford](#), [conservation](#), [BLM](#), [George Floyd](#), [Lincoln](#)



Location

Highway 83, 1000 ft south of Brownlee Road, Cherry County.

View this marker's location: [42.284600,-100.536268](#)

Marker Text

Spread out along the North Loup River west of here, DeWitty, later known as Audacious, was the largest and longest-lasting African American settlement in rural Nebraska. The settlers, including former slaves who had fled to Canada before the Civil War and their descendants, began to arrive in 1906-07, attracted by the 1904 Kinkaid Act's offer of 640 acres of free land in the Sandhills.

The settlement included a church, store, barber, post office, and baseball team, the North Loup Sluggers, which competed against teams from nearby

communities. Three rural schools educated the children. On Independence Day, residents of DeWitty and nearby Brownlee would come together for a rodeo, baseball game, and picnic.

The 1910 census recorded 82 black residents. The number of occupied African American homesteads peaked in 1914, although some settlers had already canceled or sold their claims and moved away.

The black homesteaders, like their white counterparts, found 640 acres in this semi-arid region insufficient for ranching and marginal for farming. The last African American resident left the area in 1936. The last parcel still owned by DeWitty settler descendants was sold in 1993.

Categories:
[marker monday](#)

The “Core of My Heart” letter is posted on our Facebook page here:
<https://www.facebook.com/HistoryNebraska/photos/pcb.10158582577083549/10158582563568549>

July 17, 1944
00:19

Care of My Heart,

While I am writing
this letter you are probably
sleeping soundly in your
little tundle bed. I bet
you make a beautiful pic-
ture when you're asleep.
I can just imagine that
stray lock of hair falling
down your forehead and
pointing to your warm,
desirable lips. My heart
aches with loneliness

II.

and my arms feel as empty
as a fishing creel in the
middle of a desert.

One consolation remains
to me. I need of an hour
you will be in my arms
again, my ears shall ring
with your fresh, crystal
clear laughter like the music
of tiny silver bells. My
lips will thrill to your kiss
and my heart will soar
far up into the night
sky to return ~~as~~ coated
with stardust. Were it
not for my dreams of

you, my heart of a rose,
life would be unbearable
out here.

Until I see you again
I shall rely upon the in-
toxicating memories of you
and look forward with
exhilarating anticipation
to our reunion

Yours in Stardust

Barney
C

What Happens When Indigenous Skeletal Remains are Found

All too often, human remains are discovered in Nebraska as the result of plowing, construction, or natural erosion. There are state and federal laws which govern how such circumstances are handled. The first step if suspected human skeletal remains are found is to contact local law enforcement. The police will evaluate the remains to determine if they represent a modern crime scene or missing person case. Once a forensic connection is ruled out, law enforcement will contact the History Nebraska, State Archeology Office (SAO) to conduct an archeological evaluation. If the remains are on federal land, archeologists from the federal agency will conduct the assessment.

In either event, preservation in place is the preferred option but oftentimes this is not possible. One example of preservation in place, is an Indigenous cemetery that was found during development of Eugene T. Mahoney State Park between Lincoln and Omaha. Original plans would have destroyed the site during construction of an access road. Officials from History Nebraska, the Nebraska Game and Parks Commission, and the Nebraska Department of Transportation worked together to avoid the property through re-design.



Communal pre-colonial Indigenous burial site protected in Eugene T. Mahoney State Park

In many cases, remains have been disinterred or cannot be preserved in place. In those circumstances, SAO staff will take possession and make determinations of age, sex, and most importantly biological affiliation such as: Euroamerican, Native American, or African American. This is done in cooperation with trained physical anthropologists. If remains are believed to be Indigenous, we will work with tribes under the Native American Graves Protection and Repatriation Act (NAGPRA) to determine which tribe or group of tribes the remains should be repatriated to for reburial. Factors considered include: associated funerary artifacts, skeletal features, burial pattern, geographic location, and oral traditions. Since the late 1980s, History Nebraska has repatriated over 1200 sets of human remains and many thousand associated funerary objects to over 35 Indigenous nations and tribes across the Great Plains.



Communal pre-colonial Indigenous burial site protected in Eugene T. Mahoney State Park

The SAO is presently assisting the Nebraska Commission on Indian Affairs, the Genoa US Indian School Foundation Board, and the University of Nebraska-Lincoln (Center for Great Plains Studies) in attempts to locate the Genoa Indian School cemetery. We have examined maps and conducted ground-penetrating radar surveys but to date no graves have been found.



Ground-penetrating radar is used to locate unmarked graves so that they can be protected

Categories:

archeology, Indigenous, SAO, state park, game and parks, Eugene T. Mahoney, Mahoney, Lincoln, Omaha